

4-1-1980

"How the Government Really Works" (1)

Max S. Baucus

Let us know how access to this document benefits you.

Follow this and additional works at: https://scholarworks.umt.edu/baucus_speeches

Recommended Citation

Baucus, Max S., ""How the Government Really Works" (1)" (April 1, 1980). *Max S. Baucus Speeches*. 128.
https://scholarworks.umt.edu/baucus_speeches/128

This Speech is brought to you for free and open access by the Archives and Special Collections at ScholarWorks at University of Montana. It has been accepted for inclusion in Max S. Baucus Speeches by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.

Printing, Graphics & Direct Mail
ONBASE SYSTEM
Indexing Form

Senator * or Department*: **BAUCUS**

Instructions:

Prepare one form for insertion at the beginning of each record series.

Prepare and insert additional forms at points that you want to index.

For example: at the beginning of a new folder, briefing book, topic, project, or date sequence.

Record Type*: **Hearing Statements**

MONTH/YEAR of Records*: **April-1980**

(Example: JANUARY-2003)

(1) Subject*: **Federal Issues**

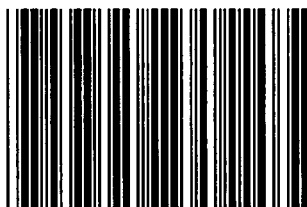
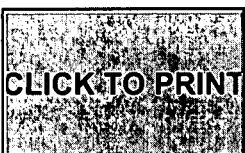
(select subject from controlled vocabulary, if your office has one)

(2) Subject* **"How the Government Really Works"**

DOCUMENT DATE*: **04/01/1980**

(Example: 01/12/1966)

* "required information"



BAUCUS

REMARKS OF SENATOR MAX BAUCUS
ON "HOW THE GOVERNMENT REALLY WORKS"

APRIL, 1980

SO OFTEN IN THINKING ABOUT OUR GOVERNMENT WE FOCUS ON THE CONSTITUTION OR ON THE SEPARATION OF POWERS BETWEEN THE JUDICIAL, EXECUTIVE AND LEGISLATIVE BRANCHES. WE TEND TO OVERLOOK WHAT MANY TIMES MAY BE THE MOST IMPORTANT PART OF OUR GOVERNMENTAL PROCESS ...AND, THAT IS THE HUMAN ELEMENT.

AFTER ALL, SENATORS, CONGRESSMEN, CABINET SECRETARIES AND, YES, EVEN PRESIDENTS, ARE HUMAN BEINGS. MANY TIMES THEIR INDIVIDUAL CHARACTERISTICS, THEIR BIASES, AND, THEIR FRIENDSHIPS, HAVE AS MUCH OF AN IMPACT ON THE WAY THE BUSINESS OF GOVERNMENT IS CONDUCTED AS ANY PROVISION OF THE CONSTITUTION OR ANY STATUTE PASSED BY CONGRESS.

AS MOST OF YOU KNOW, CONGRESS HAS FOCUSED MOST OF ITS ATTENTION IN THE LAST TWO MONTHS ON FIGURING OUT HOW TO BALANCE THE 1981 BUDGET. ONE MIGHT THINK THAT THE REAL IMPETUS BEHIND CUTTING THE BUDGET COMES FROM THE HOUSE AND SENATE BUDGET COMMITTEES. BUT THE FACT IS THAT THE INDIVIDUAL COMMITTEES OF CONGRESS ALONE COULD NOT PRODUCE THE KIND OF CONSENSUS NECESSARY TO GET A BALANCED BUDGET THROUGH BOTH HOUSES OF CONGRESS.

THE LEADERSHIP OF THE HOUSE AND SENATE PULLED TOGETHER A GROUP OF SENATORS AND CONGRESSMEN FROM ALL THE KEY COMMITTEES. THEY ALSO INCLUDED KEY MEMBERS OF THE ADMINISTRATION, INCLUDING OFFICIALS FROM THE WHITE HOUSE STAFF AND THE SECRETARY OF THE TREASURY. AS A MEMBER OF THE FINANCE COMMITTEE, I PARTICIPATED IN THAT DIALOGUE.

IT IS IMPORTANT TO KEEP IN MIND THAT THIS WAS NOT ANY KIND OF OFFICIAL COMMITTEE OF CONGRESS. RATHER, IT WAS A GROUP OF PEOPLE WHO WERE TRYING TO SOLVE A PROBLEM, REALIZING THAT WITH A TEAM APPROACH THEY HAD A MUCH BETTER CHANCE OF SUCCEEDING AND MEETING THEIR OBJECTIVE.

ANOTHER MATTER WHICH WAS AFFECTED BY HUMAN NATURE WAS THE SENATE'S RESPONSE TO THE PLIGHT OF THE PEOPLE OF CAMBODIA. I WAS FORTUNATE ENOUGH TO BE ASKED BY THE MAJORITY LEADER TO TRAVEL TO CAMBODIA ALONG WITH SENATORS SASSER AND DANFORTH TO EXAMINE FIRST HAND THE CONDITIONS THERE.

PRIOR TO OUR TRIP TO CAMBODIA, THERE WAS A CONCERN IN THE SENATE ABOUT THE PROBLEMS BUT IT WAS A SOMEWHAT DISTANT CONCERN. IT WAS CLEAR TO ME UPON MY RETURN THAT THE ATTITUDE OF OUR FELLOW SENATORS TOWARD CAMBODIA MARKEDLY CHANGED.

SENATORS DANFORTH AND SASSER, AND I WERE ABLE TO SPEND TIME WITH A LARGE NUMBER OF OUR FELLOW SENATORS AND RELATE TO THEM OUR EXPERIENCE AND OUR PERSONAL REACTIONS TO THE PAIN AND SUFFERING WE WITNESSED.

IN A SENSE, MEMBERS OF THE SENATE SHOULD BE RESPONSIVE TO PAIN AND SUFFERING WHEN EVER IT'S TAKING PLACE. BUT, THE SIMPLE FACT IS THAT BECAUSE SOME OF THEIR FELLOW SENATORS HAD PERSONALLY WITNESSED AND FELT THE TRAGEDY AND TALKED TO THEM ABOUT IT, THE SITUATION SEEMED MORE REAL. A LOT OF THEM MADE THE ISSUE A HIGHER PRIORITY THAN THEY MIGHT HAVE OTHERWISE.

THERE ARE SOME SITUATIONS, HOWEVER, IN WHICH HUMAN NATURE MAKES IT MORE DIFFICULT TO DO THE THINGS YOU FEEL YOU MUST DO. FOR EXAMPLE, EARLY IN MY TERM AS SENATOR, SOME MONTANANS WHO SERVE ON THE MONTANA JUVENILE JUSTICE COUNCIL WROTE TO ME ABOUT THE PERFORMANCE OF THE ADMINISTRATOR OF THE OFFICE OF JUVENILE JUSTICE AT THE JUSTICE DEPARTMENT IN WASHINGTON, D.C. AFTER INVESTIGATING THE MATTER I FOUND OUT THAT IN FACT THE COMPLAINTS AGAINST THIS ADMINISTRATOR WERE LEGITIMATE.

AS IT TURNED OUT, THAT ADMINISTRATOR WAS A FORMER STAFF MEMBER TO A MEMBER OF THE SENATE AND WAS MARRIED TO ONE OF THE STAFF MEMBERS OF THE JUDICIARY COMMITTEE. OF COURSE, THESE CIRCUMSTANCES DON'T CHANGE THE FACT THAT THE ADMINISTRATOR WAS NOT DOING A GOOD JOB. BUT TO BE PERFECTLY FRANK, IT DOES MAKE IT HARDER TO RAISE OBJECTIONS WHEN YOU KNOW THAT THERE ARE COLLEAGUES OF YOURS WHO HAVE A SPECIAL INTEREST IN THE PERSON YOU ARE COMPLAINING ABOUT. AS IT TURNED OUT, THERE WERE OTHER SENATORS WHO HAD SIMILAR COMPLAINTS ABOUT THE ADMINISTRATION OF THE JUVENILE JUSTICE PROGRAM AND COLLECTIVELY WE WERE ABLE TO CONVINCE THE ATTORNEY GENERAL THAT HE OUGHT TO FIND A REPLACEMENT.

A SIMILAR CIRCUMSTANCE OCCURRED RECENTLY ON THE VOTE ON A FEDERAL JUDGESHIP. AS YOU MAY KNOW, SENATORS HAVE THE PREROGATIVE TO RECOMMEND TO THE PRESIDENT INDIVIDUALS THAT THEY WOULD LIKE TO SERVE ON THE FEDERAL BENCH WITHIN THEIR STATE. BY AND LARGE THE PRESIDENT FOLLOWS THE RECOMMENDATIONS OF THE SENATORS AND THE SENATE JUDICIARY COMMITTEE AND THE FULL SENATE FOLLOW THE RECOMMENDATIONS OF THE PRESIDENT. THE SENATE JUDICIARY COMMITTEE AND THE SENATE AS A WHOLE HAVE NOT REJECTED A PRESIDENTIAL NOMINATION FOR A FEDERAL DISTRICT JUDGE SINCE 1938.

JUST LAST MONTH, HOWEVER, THE COMMITTEE HAD BEFORE IT A CONTROVERSIAL NOMINATION INVOLVING AN INDIVIDUAL WHOSE REPUTATION WAS SURROUNDED WITH ALLEGATIONS OF UNETHICAL AND IMPROPER CONDUCT. IT WAS A VERY DIFFICULT CHOICE FOR MANY OF US BECAUSE OF THE STRONG TRADITION HONORING A SENATOR'S RECOMMENDATIONS. FURTHERMORE, THIS PARTICULAR JUDICIAL NOMINEE WAS RECOMMENDED BY A FELLOW COLLEAGUE WHO WAS UP FOR REELECTION AND WHOSE REELECTION CHANCES WOULD BE HURT IF HIS NOMINEE WERE NOT SUPPORTED BY THE JUDICIARY COMMITTEE.

IT IS HUMAN NATURE NOT TO WANT TO HURT A FELLOW HUMAN BEING. ONE'S EMOTIONAL RESPONSE TO THE SITUATION IS TO WANT TO HELP OUT A COLLEAGUE AND NOT CREATE PROBLEMS FOR THEM.

HOWEVER, MANY OF US ON THE COMMITTEE FELT IT WAS OUR DUTY NONETHELESS TO VOTE AGAINST THAT NOMINEE: AND THE NOMINATION WAS DEFEATED BY A VOTE OF 9 TO 6. ONE NEVER LIKES TO HAVE TO CAST VOTES LIKE THAT; AND HUMAN NATURE MAKES THE VOTE A LITTLE HARDER TO CAST.

I HOPE THAT THESE EXAMPLES GIVE YOU SOME FLAVOR OF THE POINT THAT I HAVE BEEN TRYING TO MAKE THIS MORNING. IT IS THAT THE GOVERNMENTAL PROCESS IS AS SUSCEPTIBLE TO THE RANGE OF HUMAN EMOTIONS AS ANY OTHER ASPECT OF HUMAN ENDEAVOR. AS JUSTICE BRANDEIS ONCE OBSERVED, "GOVERNMENT IS NOT AN EXACT SCIENCE." I THINK BY KEEPING THAT OBSERVATION IN MIND ONE WILL HAVE A MORE ACCURATE VIEW OF WHAT OUR GOVERNMENT IS ABOUT.

THANK YOU VERY MUCH.

Senators to discuss legislative process



MAX BAUCUS

To answer questions during April 8 lecture.

How does our government really operate? U.S. Sen. Max Baucus and Montana state Sen. Jens Turnage of Polson will be at Flathead Valley Community College April 8 to share their views of the legislative process.

Is the government really as corrupt as the Abraham investigation implies? Does the legislature work according to the theories taught in high school civics classes? Baucus and Turnage will be available to answer these and other questions at the lecture.

"How Our Government Really Works: A View From the Inside" is a series of four lectures on the American political system sponsored by FVOC. The lectures will feature authorities on the legislative, executive and judicial branches of government. One evening will be devoted to political parties.

One Democrat and one Republican will share the podium at each session. Questions from the audience will be invited.

Democrat Max Baucus was elected to the U.S. Senate in November 1970. He serves on the Senate Judiciary and Finance committees and on the Senate Select Committee on Small Business.

Baucus has been involved in Montana politics since his election to the state legislature in 1972.

Republican Jens Turnage is the chairman of the Senate Transition Committee.

Turnage served four terms as Lake County attorney. In 1963 he was elected to the Montana Senate and has served there since.

Speakers scheduled for the next lecture on April 15 are Kalispell's state Sen. Matt Emsel and Frank Morrison, former governor of Nebraska. They will speak on the executive branch of government.

Baucus and Turnage will give their views of the legislative process at the lecture April 8. The program begins at 7 p.m. in the FVOC theater in Lake Hall on the corner of First and Main streets.

Theater seating is limited, so interested persons should make reservations early. The lecture series is free of charge.

Reserved seating tickets are available at the college switchboard in Lake Hall. Call FVOC at 732-5222 or toll-free at Enterprise 882 for further information.